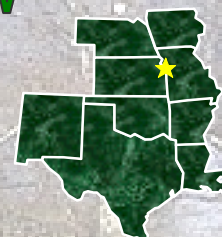


Central Region Review



U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ MAY 2000 ★

★ REGIONS VI & VII ★

*Environmental Legislative Actions, Proposed Rules, Final Rules, Emergency Rules, and Judicial Decisions
for the States in Federal Regions VI and VII.*

GENERAL INFORMATION

U.S. Environmental Protection Agency (U.S. EPA) Region VII 2000 Pollution Prevention Awards for Environmental Excellence. The U.S. EPA is seeking nominations of projects and programs that demonstrate successful source reduction. Applications should be submitted for one of the following five categories: (1) Energy Efficiency and Renewable or Alternative Energy Sources, (2) Community Pollution Prevention, (3) Pollution Prevention for Environmental Justice, (4) Environmentally Preferable Products and Services, and (5) General Pollution Prevention Pool. Applications must be received by the U.S. EPA on or before 14 July 2000. *For more information, please contact Jennifer Anderson, Solid Waste and Pollution Prevention Branch, U.S. EPA Region VII, at (913) 551-7644, fax to (913) 551-7521, or e-mail anderson.jennifer@epamail.epa.gov.* The Agency's Pollution Prevention web site is at <http://www.epa.gov/region07/specinit/p2/p2.html>.

Kansas Department of Health and Environment (KDHE) Pollution Prevention Year 2000 Awards and Recognition. KDHE presents Pollution Prevention Awards annually to those individuals, communities or community groups, businesses and industries who have made a significant impact in protecting the environment by preventing pollution. KDHE recognizes organizations that demonstrate exceptional leadership in environmental stewardship in four categories: (1) Education/Communication, (2) New Initiatives, (3) New Technologies, and (4) Cooperative Efforts. Applications for the 2000 Pollution Prevention Awards must be received by 5:00 p.m. on 30 June 2000. *For more information about the awards, please contact KDHE, Office of Planning and Prevention, at (785) 296-0669.*

Missouri's Year 2000 Governor's Pollution Prevention Awards. The Governor's Pollution Prevention Awards, sponsored by the Missouri Chamber of Commerce and the Missouri Department of Natural Resources (MDNR), honor businesses, organizations, and communities that have shown outstanding commitment to improve

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Missouri's environment through pollution prevention and energy conservation practices. Any Missouri business, municipality, organization or school is eligible. The program must have been implemented in Missouri within the past three years. The award categories are as follows: (1) Pollution Prevention, (2) Energy Efficiency, (3) Technology Innovation, (4) Management Systems, (5) Recycling, (6) Technical Assistance Provider, (7) Land Use, (8) Market Development, and (9) Education and Outreach. Applications must be received no later than 17 May 2000. *Applications will be online at MDNR's web site at <http://www.dnr.state.mo.us/homednr.htm>. For further information, please contact the Missouri Chamber of Commerce at (573) 634-3511, or fax to (573) 634-8855.*

Note: Military installations and organizations are eligible to apply for these awards.

ASSISTANCE

U.S. EPA Compliance Assistance Center Opened for Federal Agencies. The U.S. EPA has opened the Internet-based Federal Facilities Compliance Assistance Center to provide federal government agencies with information on environmental regulations, guidance on compliance assistance, and links to state and other federal agency environmental home pages. This center is the tenth launched by the U.S. EPA and is sponsored by the Federal Facilities Enforcement Office. The Center can be found at <http://www.epa.gov/oeca/fedfac/cfa/>. All of U.S. EPA's compliance assistance centers are found at <http://www.assistancecenters.net/>.

U.S. Navy Environmental Quality Fact Sheets. The U.S. Navy has released a series of Environmental Quality Fact Sheets designed to encourage the use of pollution prevention technologies and methods by activities. The goal of the series is to promote sustained environmental compliance at the lowest life-cycle cost. To view or download any of the 63 environmental quality fact sheets, visit the Naval Facilities Engineering Service Center at <http://enviro.nfesc.navy.mil/ps/eqifs/index.html>. Any questions or suggestions for future fact sheets can be forwarded to Charles Sokol at sokolcw@nfesc.navy.mil.

Field Analytic Technologies Encyclopedia (FATE). The U.S. Army Corps of Engineers Innovative Technology Advocates collaborated with the U.S. EPA Technology Innovation Office (TIO) to develop the new, online FATE. FATE is intended to provide information about technologies that can be used in the field to characterize contaminated soil and ground water, monitor the progress of remedial efforts and, in some cases, for confirmation sampling and analysis for site close out. FATE is being posted on the Internet initially with information on 10 classes of technologies, with additional ones planned. FATE can be viewed online at <http://fate.clu-in.org/>.

U.S. Army Environmental Center (AEC) National Emission Standards for Hazardous Air Pollutants (NESHAP) Compliance Program. The U.S. EPA is in the process of preparing NESHAP rules for 174 air emission source categories. AEC has identified 26 of these categories as emission sources located at some Army installations. Of these 26 NESHAPs, 12 already have been promulgated. These NESHAPs primarily will affect Army operations such as vehicle maintenance, fuel combustion, and equipment painting. To assist installations in complying with the NESHAPs, AEC has prepared guidance on the known or expected requirements of each NESHAP, descriptions of possible compliance methods, costs of these methods, and points of contact for more information on these methods. AEC compliance staff will be working with Army installations, pollution prevention experts, and weapons systems program managers to identify high priority compounds for which replacements must be found, treatment technologies must be developed and implemented, and/or guidance documents must be revised. AEC's web site is at <http://aec.army.mil/>. For further information, please contact Paul Josephson at (410) 436-1205, or e-mail paul.josephson@aec.apgea.army.mil.

Innovative Remediation and Site Characterization Technology Resources. This compact disk (EPA 542-C-99-001) was produced by the U.S. EPA TIO and updates the one issued in September 1998. It assembles in one place most of the publications and databases produced by TIO over the last few years. *The CD-ROM can be ordered by calling 1-800-490-9198 or (515) 489-8695, or fax to (513) 489-8695.*

U.S. EPA Program for Estimating Storage Tank Emissions. The U.S. EPA has released "TANKS," a Windows-based software program that estimates volatile organic compound (VOC) and hazardous air pollutant emissions from fixed- and floating-roof storage tanks. TANKS is based on the emission estimation procedures from Chapter 7 of the U.S. EPA's Compilation of Air Pollutant Emission Factors (AP-42) (<http://www.epa.gov/ttn/chief/ap42.html>). Emissions can be estimated for several types of storage tanks, including vertical and horizontal fixed-roof tanks, internal and external floating-roof tanks, domed external floating-roof tanks, and underground tanks. Further information is available at <http://www.epa.gov/ttn/chief/tanks.html>.

Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 Reporting. The U.S. EPA has posted on its Toxics Release Inventory (TRI) web site important reporting guidance for the EPCRA Section 313 Reporting Year 1999 (RY99). The address of the web site is <http://www.epa.gov/tri/>. The RY99 Form and Instructions Manual can be downloaded at <http://www.epa.gov/tri/report.htm>. The Automated TRI Reporting Software for RY99 (ATRS99) can be downloaded at <http://www.epa.gov/tri/atrs/>.

COMPLIANCE INFORMATION

Consumer Confidence Reports. Calendar Year 1999 Safe Drinking Water Act Consumer Confidence Reports are due to consumers on 1 July 2000.

TRAINING INFORMATION

Military Munitions Rule 2 (MR2) Computer-Based Training (CBT). The MR2 CBT is scheduled to be released by the end of April 2000. The course is designed for U.S. Department of Defense (DoD) military and civilian personnel who work with waste military munitions (WMM). This instruction will provide advice regarding when military munitions may become waste and specific methods to conduct WMM operations that will be consistent on all military installations. Inspections, storage, transportation, production, permitting, disposal and recycling are a few examples of ammunition operations. Note that this course is only accessible in CD-ROM format, and it replaces the MR1 CBT. To order the CBT course, please visit the Defense Ammunition Center (DAC) web site at <http://www.dac.army.mil/as/>. For additional information, please contact Gail Ruffin, DAC, at (918) 420-8818 (DSN 956), or e-mail ruffin@dac-emh2.army.mil.

National Pollutant Discharge Elimination System (NPDES) Permit Writer's Training Course. The U.S. EPA is developing a course for NPDES permit holders, permit applicants, and others interested in the permitting process. Training courses are scheduled for (1) **8-12 May 2000** in **Austin, Texas**, (2) **10-14 July 2000** in **Nashville, Tennessee**, and (3) **September 2000, U.S. EPA Region VIII**. Each course is limited to 70 participants. Information on the course will be posted at <http://www.epa.gov/owm/permits/pwcourse/dates.htm> once it is available. For further information, please contact Regina Meehan at (864)246-9400, ext. 3, or e-mail meehan@environmental-training.com.

U.S. EPA Region VI – Environmental Response Training Program (ERTP). U.S. EPA Region VI is offering the following upcoming environmental response training courses:

- | | |
|---|--|
| • Hazardous Materials Incidence Response Operations | 8, 12 May 2000 in Arkansas |
| • Sampling for Hazardous Materials | 16, 18 May 2000 in Jonesboro, Arkansas |
| • Air Monitoring for Hazardous Materials | 26, 30 June 2000 in Austin, Texas . |

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To register for a class or for more information on courses offered by U.S. EPA Region VI, contact Keith Reddick, U.S. EPA Region VI, at (214) 665-8338, fax to (214) 665-7447, or e-mail redrick.keith@epamail.epa.gov.

U.S. EPA Region VII – ERTP. U.S. EPA Region VII is offering the following upcoming environmental response training courses:

- | | |
|--|---|
| • Hazardous Materials Incident Response Operations | 1, 5 May 2000 in Kansas City, Kansas |
| • Emergency Response to Hazardous Material Incidents | 8-12 May 2000 in Wichita, Kansas |
| • RCRA Corrective Action Workshop | 13, 16 June in Kansas City, Missouri |
| • Introduction to Groundwater Investigation | 20, 22 June in Iowa |
| • Sampling for Hazardous Materials | 22, 24 August 2000 in Kansas City, Kansas . |

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To get a list of all training opportunities currently available through U.S. EPA Region VII, or for more information on classes, contact Evelyn Van Goethem, U.S. EPA Region VII, at (913) 551-7659, fax to (913) 551-7145, or e-mail vangoethem@epa.gov. To register for a class, contact the Training Registrar at (513) 251-7776 or (513) 251-7669, fax to (513) 251-4137, or e-mail embryk@ttnus.com.

Risk Communication Workshops. The U.S. Army Center for Health Promotion and Preventive Medicine's (CHPPM) Risk Communication program will be conducting the following risk communication workshops:

Introductory Classes

- **2-4 May 2000** **Baltimore, Maryland**
- **6-8 June 2000** **Seattle, Washington**
- **22-24 August 2000** **Baltimore, Maryland**

Advanced Classes

- **17-20 July 2000** **Baltimore, Maryland**

Additional information is available on the Internet at <http://chppm-www.apgea.army.mil/hrarcp/pages/index.html>. For further information or a workshop application, please contact Laura Hoover, CHPPM, at (410) 436-7715.

U.S. EPA EPCRA/TRI Training. The U.S. EPA continues to conduct EPCRA/TRI training workshops during May 2000. These workshops are intended to assist persons preparing annual reports on release and other waste management activities as required under EPCRA Section 313 and Section 6607 of the Pollution Prevention Act. These reports must be submitted to the U.S. EPA and designated state officials on or before 1 July 2000. The one-day workshop still to be held is on **10 May 2000** in **Wichita, Kansas**. A two-day workshop will be held **11-12 May 2000** in **Kansas City, Kansas**. The workshops will include a breakout session (pre-registration is necessary) concerning Section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Anyone interested in making a presentation should send a short abstract on the topic as well as a biography of yourself to James Hirtz at hirtz.james@epa.gov or fax to (913) 551-7065. Information on the workshops is available at <http://www.EPCRA-TRI.com>. For further information, please contact Science Applications International Corporation at (703) 318-4504, fax to (703) 318-4644, or e-mail Training@EPCRA-TRI.com.

DoD-State Memorandum of Agreement (DSMOA) National Workshop. The DSMOA workshop, originally scheduled for **16-18 May 2000** in **San Diego, California**, has been cancelled. There is no plan to reschedule it.

DoD Water/Wastewater System Management Workshops. AEC and the Army Installation Support Center are sponsoring a workshop on water and wastewater system management. Training and instruction included in the workshop will focus on (1) use of the water and wastewater assessment protocols developed to assess the capability of the systems to meet regulatory requirements; (2) key components of cross-connection control and wellhead protection programs; and (3) use of the Model Schedule of Services designed to assist personnel at military installations. The workshop content is intended for installation personnel whose responsibilities encompass the management of water/wastewater systems, implementation of wellhead protection, and/or cross-connection control. This workshop is scheduled for two dates and locations: **24-27 May 2000** in **Atlanta, Georgia**, and **7-10 June 2000** in **Denver, Colorado**. To register or to obtain additional information, please contact Hans Graven at (703) 643-2962, or e-mail RAScoWS@aol.com.

Resource Conservation and Recovery Act (RCRA) Corrective Action Workshop on Results-Based Project Management. This workshop is offered by the U.S. EPA's Corrective Action Programs Branch, Office of Solid Waste. The goal of the workshop is to share tools and approaches focused on efficiently achieving "Environmental Indicators" and "Final Remedies" at facilities subject to RCRA Corrective Action. The Region VII Workshop will be held **13-16 June 2000** in **Kansas City, Missouri**. (The Region VI Workshop has already been held.) The following web site describes the conference and permits on-screen registration: <http://www.Correctiveactionwksp.org/>.

Air Quality Management. The objectives of the Air Force Institute of Technology's (AFIT) Air Quality Management course is for each student to comprehend the technical and regulatory requirements of air quality management, and understand methods to plan and implement successful comprehensive air quality management at the installation level. Topics include compliance, emission inventories and processes, sampling and analysis, permitting, pollution prevention and waste reduction strategy, control technology, aerospace NESHAPS, the conformity and risk management rules, and ozone-depleting chemicals (ODCs). The course is offered in residence at AFIT, Wright-Patterson Air Force Base, **Dayton, Ohio**, on **10-14 July 2000**. Some prerequisites apply. Non-Air Force DoD applicants should call AFIT/CEA at DSN 785-2156 or (937) 255-2156, for application procedures.

Pollution Prevention Operations and Management – Satellite Broadcast Course. The AFIT Civil Engineer and Services School is offering a five-day Pollution Prevention Program Operations and Management course (course # ENV 022) on **17-21 July 2000**. The course is designed to emphasize pollution prevention concepts such as source reduction of hazardous and toxic chemicals, solvent substitutions, reuses and recycling, process changes, and environmental awareness. Additionally, the course introduces management techniques that can be utilized to implement a sound pollution prevention program, including (1) establishing and running the program; (2) conducting pollution prevention opportunity assessments; (3) implementing process changes to incorporate pollution prevention; (4) assessing pollution prevention program success; and (5) establishing awareness training. *For further information, please contact AFIT/CEA at (937) 255-2156 (DSN 786). Additional details on this course and others offered by the AFIT Civil Engineer and Services School can be obtained on the Internet at <http://cess.afit.af.mil/>. Please note that this course is only offered through satellite broadcast, and registration closes 40 days prior to the broadcast.*

CONFERENCES AND SEMINARS

U.S. EPA Region VII Federal Facilities Conference 2000. U.S. EPA Region VII will conduct an environmental conference for federal facilities in the region at the agency's office in **Kansas City, Kansas**, on **9-10 May 2000**. The theme for this conference is "Aiming for Environmental Excellence through Partnership." The program will address many topics and issues requested by military installations. *For more information, please contact Cedrick Farrior at (913) 551-7966 or 1 (800) 223-0425, or e-mail Farrior.Cedrick@epa.gov.*

Combined Military Environmental Group (MEG) Meeting. In conjunction with the U.S. EPA Region VII Federal Facilities Conference in **Kansas City, Kansas**, there will be a DoD breakout on Wednesday afternoon, **10 May 2000**, for the first ever "combined" MEG meeting of installations and environmental regulators in the four-state area (i.e., Iowa, Kansas, Missouri and Nebraska). The MEG meeting provides an opportunity for installation environmental coordinators to share information and to discuss issues with state and federal environmental regulators. Since many of the issues of concern to installations in the region are already incorporated in the agenda for the Federal Facilities Conference, this meeting will focus on DoD program updates, as well as issues or topics presented by state regulators or installation environmental coordinators. *For more information, please contact Steve Scanlon, Army Regional Environmental Coordinator (REC), Central Regional Environmental Office, at (816) 983-3445, or e-mail stephen.c.scanlon@usace.army.mil.*

Kansas City Metropolitan Green Purchasing Vendor Fair and Workshop. This event is being held at the H. Roe Bartle Hall Kansas City Convention Center in **Kansas City, Missouri**, on **10 May 2000**. *For more information, please contact Peter Shemitz at (816) 513-1418, or e-mail Peter.Shemitz@kcmo.org.*

2000 Real World Air Conference. FORSCOM and the Army CHPPM are partnering to conduct the second Real World Air Conference on **15-18 May 2000** at the Sheraton Atlanta Hotel in **Atlanta, Georgia**. The conference is intended to address current air pollution issues affecting federal facilities. Potential technical session topics include pollution prevention, particulate matter (both PM10 and PM2.5), NESHAPs, regional pollutant transport, ODCs, sampling methods, open burning/open detonation, EPCRA, air pollution health issues, legal issues, ISO 14000, and geographical information system applications. Conference information and online registration are available on the Internet at <http://chppm-www.apgea.army.mil/air/airconf/confhome.htm>. *For further information, contact Ilani Donley, Conference Coordinator, at (410) 436-8113, or e-mail ilani.donley@apg.amedd.army.mil; or contact Rochelle Williams, FORSCOM, at (404) 464-7695, or e-mail williaro@FORSCOM.army.mil; or contact Sherri Hutchens, CHPPM, at (410) 436-8149, or e-mail sherri.hutchens@apg.amedd.army.mil.*

Fifth Annual U.S. EPA Region VI Nonpoint Source Watershed Conference. This conference will focus on integrating nonpoint source issues with wetlands, surface water, and groundwater and will provide ample opportunity for networking with new partners and going out into the field to see nonpoint source issues firsthand. The conference is scheduled for **22-25 May 2000** in **Angel Fire, New Mexico**. Registrations must be received, with payment, by 20 April 2000. Information about the conference is available at <http://www.nmenv.state.nm.us/swqb/NPSCConference2000.html>. *For more information, please contact Peter Monahan, New Mexico Environmental Department (NMED), at (505) 827-1041, or e-mail peter_monahan@nmenv.state.nm.us; or contact Lisa Knerr, Tetra Tech, at (703) 385-6000, ext 169, or e-mail knerrli@tetrattech-ffx.com.*

U.S. Chamber of Commerce Brownfields Conference. The U.S. Chamber of Commerce is co-sponsoring a conference with AIG Environmental called "Let's Make It Happen: Working Together on Brownfields Redevelopment." It will be held **19 June 2000** in **Washington, D.C.** The goal of the conference is to explore the

real factors behind redevelopment success stories. *For further information, please contact Elizabeth Rihani at (202) 463-5858.*

Arkansas Recycling Coalition Tenth Annual Conference and Trade Show. This trade show is scheduled for **8-10 August 2000**. *For further information, please contact Paige Cox at (501) 399-9696.*

Fifth Annual Joint Services Pollution Prevention and Hazardous Waste Management Conference and Exhibition. This conference will provide an open forum for exchanging ideas, success stories, case histories and technologies related to pollution prevention and hazardous waste management. The conference facilitates government, academia and industry channels of communication for a combined effort to implement the essential pollution prevention/hazardous waste management objective by all. The Joint Services Conference is hosted by the Headquarters Air Force Center for Environmental Excellence. The conference will be held **21-24 August 2000** in **San Antonio, Texas**. For conference information and updates, visit <http://www.p2-hwmconference.com/>. AEC will be hosting an Army Hazardous Substance Management System Breakout Session on **21 August 2000**, prior to the start of the formal Conference proceedings. *For further information about the breakout session, please contact Janet Martin, AEC, at (410) 436-1209, or e-mail janet.martin@aec.apgea.army.mil.*

KDHE's Year 2000 Environmental Conference. This conference will be held **12-13 September 2000** at the Capitol Plaza Hotel and Expocentre in **Topeka, Kansas**. The conference will feature a keynote speaker, concurrent sessions, seminars with a focus on pollution prevention (including case studies), and regulatory changes. There will also be an exhibition. *For more information, please contact Janet Neff, KDHE, Office of Planning and Prevention, at (785) 296-0669.*

Brownfields 2000 Conference. The Brownfields 2000 Conference, "Research & Regionalism: Revitalizing the American Community," is co-sponsored by the U.S. EPA and will be held **11-13 October 2000** in **Atlantic City, New Jersey**. This conference will provide networking opportunities, bringing all major stakeholders in Brownfields assessment, cleanup and redevelopment together. With a research focus, the conference promotes the exchange of information, procedures and techniques related to the revitalization of Brownfield sites through its conference program and exhibits. *For more specific information about the conference and to be added to the mailing list, please visit <http://www.brownfields2000.org/> or link to the site through the U.S. EPA's web site at <http://www.epa.gov/brownfields/bfconf.htm>.*

Texas Recycling Summit – Coalition 2000. The Texas Natural Resources Conservation Commission (TNRCC) is co-organizing the Texas Recycling Summit – Coalition 2000, which is scheduled for **14-18 October 2000** in **Houston, Texas**. Features of the summit include (1) buy recycled, (2) clean air, (3) resource management, (4) purchasing strategies, (5) compost experts, (6) legislative issues, and (7) expanded trade show. *Information about accommodations, exhibitors, and exhibitor registration is available at <http://www.texasrecyclingsummit.com/>.*

FEDERAL ACTIONS

U.S. EPA FINAL RULE

Drinking Water Public Notification Requirements. The U.S. EPA revised its drinking water public notification requirements in April 2000 to ensure faster public notice in emergencies and better communication about potential health risks. The new requirements require faster notice in emergencies and fewer notices overall, and will result in notices that better communicate the potential health risks from drinking water violations and how to avoid such risks. The new rule will enable water systems to better target notices to the seriousness of the risk and make the existing notification process less burdensome for water suppliers and easier to read for consumers. *The text of the rule and a fact sheet are available at <http://www.epa.gov/safewater/pn.html>.*

U.S. EPA PROPOSED RULES

Long Term 1 Enhanced Surface Water Treatment Rule and Filter Backwash Rule (LT1FBR) (65 Federal Register [FR] 19046, 10 April 2000). The U.S. EPA is proposing the LT1FBR to increase protection of finished drinking water supplies from contamination by *Cryptosporidium* and other microbial pathogens. The provisions fall into three categories: turbidity, disinfection benchmarking, and other requirements. The proposed rule will apply to public water systems using surface water or ground water under the direct influence of surface water. The rule proposes to extend protections against these microbes to the 11,500 small water systems which serve

fewer than 10,000 people annually. The proposed rule also establishes filter backwash requirements for certain public water systems of all sizes. The rule is scheduled to be final by November 2000. *For specific information on this rule, please contact Jeffery Robichaud, U.S. EPA, Office of Ground Water and Drinking Water, at (202) 260-2568.*

Drinking Water Standards for Radon. The U.S. EPA is proposing new regulations to reduce the public health risks from radon. The proposed standards would apply to community water systems that use ground water or mixed ground and surface water, not those that rely on surface water where radon levels in the water are very low. The proposed regulation provides two options to states and water systems to reduce exposure to radon. In Option 1, states choose to develop Multimedia Mitigation (MMM) programs, and individual water systems are required to reduce radon levels in drinking water to 4,000 picoCuries per liter (pCi/L) or lower. In Option 2, states do not choose to develop MMM programs, and individual water systems are required to either reduce radon in their system's drinking water to 300 pCi/L or develop individual MMM programs and reduce radon to 4,000 pCi/L. The comment period for this proposed rule is closed. *For technical inquiries regarding the proposed regulations, please contact Sylvia Malm, U.S. EPA, Office of Ground Water and Drinking Water, at (202) 260-0417, or e-mail malm.sylvia@epa.gov.*

Standards for Polychlorinated Biphenyls (PCBs) in Soil (65 FR 7809, 16 February 2000). The U.S. EPA is proposing to temporarily defer the portion of the agency's land disposal restriction (LDR) regulation which stipulates that PCBs are an underlying hazardous constituent when present in soils exhibiting Toxicity Characteristics for metals. The deferral is expected to provide time for the U.S. EPA to (1) investigate how best to integrate LDR requirements for PCBs with the cleanup programs under CERCLA and RCRA and (2) investigate further the relationship of RCRA requirements with those for PCB remediation wastes under the Toxic Substances Control Act (TSCA). If the deferral is finalized, generators would still be required to treat these soils to meet LDR standards for all hazardous constituents, except PCBs. Generators would also be required to treat PCBs if the total concentration of halogenated organic compounds in the soil equals or exceeds 1000 parts per million (ppm). *For further information, please contact Ernesto Brown, U.S. EPA, at (703) 308-8608, or e-mail brown.ernie@epa.gov.*

U.S. EPA ADVANCE NOTICE OF PROPOSED RULEMAKING

Methyl Tertiary Butyl Ethylene (MTBE), Section 6 of TSCA (published in *Federal Register* 20 March 2000). The U.S. EPA formally began regulatory action to eliminate or phase down MTBE. The U.S. EPA expects to issue a full proposal to ban or phase down MTBE within six months.

Diesel Fuel Emissions. The U.S. EPA has sent a draft rule to the White House Office of Management and Budget that would set new low limits on diesel fuel for nitrogen oxide (NOx) and particulates. The rule also proposes setting a 20 ppm limit on sulfur levels in diesel fuel. The proposal is slated for sometime in the Spring of 2000, with adoption planned prior to the end of the year.

Coal Ash. The U.S. EPA plans to develop national standards to address wastes from coal burning plants that are presently either land disposed or used as fill in mining. These wastes are not being classified as hazardous.

Arsenic Rule. The U.S. EPA is revising the existing drinking water standard for arsenic. A proposed rule is expected to be published in June 2000, and a final rule is expected to be published by January 2001.

U.S. EPA DRAFT GUIDANCE

The Role of Groundwater Use in RCRA Corrective Action. The U.S. EPA has made available for comment the document entitled *The Role of Groundwater Use in RCRA Corrective Action*. The document is the first in a series of RCRA Cleanup Reforms guidance documents announced in the *Federal Register* on 24 March 2000 (65 FR 15904). This guidance is intended to provide more certainty about cleanup objectives and expectations with respect to groundwater remediation. *The U.S. EPA expects to post the document at <http://www.epa.gov/correctiveaction/>. To order a paper copy of this document, please call the RCRA, Superfund & EPCRA Hotline at (800) 424-9346.*

Results-Based Approaches to Corrective Action and Corrective Action Completion. *Results-Based Approaches to Corrective Action* will take the form of an overview and supporting document, and will define results-based corrective action and list recommended approaches to help stakeholders achieve program goals. *Corrective Action Completion* will guide Regions and States through issues that arise at the end of the corrective action process

at RCRA treatment, storage and disposal facilities. *These guidance documents are not yet available, but were expected to be released in the Spring of 2000.*

U.S. DEPARTMENT OF TRANSPORTATION (DOT) FINAL RULES

Hazardous Materials Transportation (65 FR 7297, 14 February 2000). The DOT's Research and Special Projects Administration (RSPA) published revisions to the registration and fee assessment program for persons who transport or offer for transportation certain categories and quantities of hazardous materials. The changes to the regulations found at 49 Code of Federal Regulations (CFR) 107, Subpart G, would increase the number of persons required to register by including all persons offering or transporting a shipment of hazardous materials that requires placarding under 49 CFR 171-180, except for farming activities in direct support of farming operations. In addition, a two-tiered fee schedule would be created beginning with registration year 2000-2001, with a lower fee for shippers and carriers who are small businesses. The effective date of the rule is 1 May 2000.

Hazardous Materials Transportation (65 FR 7310, 14 February 2000). The DOT's RSPA amended the "List of Hazardous Substances and Reportable Quantities" that appears in Appendix A – Table 1 to the Hazardous Materials Table at 49 CFR 172.101. The changes are effective 14 August 2000.

REGION VI STATE ACTIVITY

ARKANSAS

Legislative/Regulatory Activity

STATE OF ARKANSAS LEGISLATIVE ACTIVITY

The next Regular Legislative session begins in January 2001, although Committees will continue to meet during the interim.

STATE OF ARKANSAS FINAL RULES

Wastewater Operating Licensing (Regulation 3). The Arkansas Department of Environmental Quality (ADEQ) has adopted revisions to its requirements for the licensing of wastewater treatment operators. The revisions include (1) clarification or addition of items in the Definitions section, (2) changes to the fee structure for wastewater operator licenses, (3) revised criteria for classification of wastewater treatment plants, (4) addition of language involving the Wastewater Licensing Committee, and (5) revisions to the requirements for special operators, license examinations, and actions involving revocation or suspension of licenses. The effective date of this rule was 3 March 2000. *For further information, please contact Suzanne Stair, ADEQ, at (501) 682-0823.*

State Implementation Plan (SIP) Revisions (Regulations 18 and 19). Revisions to Regulations 18 and 19 of the SIP were adopted on 22 January 1999, and forwarded to the U.S. EPA for approval, where they are pending review. *For further information, please contact Mike Porta, ADEQ, at (501) 682-0752.*

STATE OF ARKANSAS PROPOSED RULES

Bad Actor Provision: Multimedia, Permit, Enforcement (Regulation 8). ADEQ is proposing to establish regulatory procedures for administering and enforcing the "bad actor" provisions of state law regarding issuance of permits. The proposal would establish criteria for denial of environmental permits to applicants who have a history of violation of environmental laws or regulations in the previous 10 years, or who fail to properly disclose their compliance history. It is reported that the Arkansas Environmental Federation attacked the proposal as being overly broad and restrictive. ADEQ intends to rework the proposal based on comments received. *For more information, please contact Doug Szenher, ADEQ, at (501) 682-0911.*

Adoption of Federal RCRA Rules (Regulation 23). ADEQ will adopt the federal RCRA amendments adopted by the U.S. EPA between 11 February 1999 and 6 July 1999. This includes adding spent electric lamps to the universal waste rule, clarification of LDRs and treatment options for specific waste streams, and guidelines for the analysis of oil and grease. A public hearing was held in December 1999 and the comment period has closed. The staff expects the proposal to be finalized by May 2000. *For further information, please contact Tom Ezell, ADEQ, at (501) 682-0876.*

Title V Rules Amendments (Regulation 26). ADEQ is proposing to make amendments to its Title V permitting rules in order to obtain permanent approval from the U.S. EPA for the program. Arkansas currently has interim approval through the year 2002. The purpose of the amendments will be to make Regulation 26 consistent with the federal rules. The changes will be non-substantive in nature. A public hearing is scheduled for 23 May 2000, and written comments will be accepted until 7 June 2000. *For further information, please contact Mike Porta, ADEQ, at (501) 682-0752.*

STATE OF ARKANSAS DISCUSSIONS

Increase of Tire Disposal Fees (Regulation 14). ADEQ had proposed changes to Regulation 14 in response to legislation which increased the waste tire disposal fee from \$1.50 to \$1.75 and allowed for charges of up to \$4.00 for truck tires by regional solid waste districts. The proposal also includes such changes as an increase in the number of waste tires which may be stored at waste tire collection centers, use of a waste tire manifest system to monitor waste tire distribution, an exception to the fee imposed on imported waste tires, consumer protection requirements, additional reporting requirements for tire dealers, and changing the disbursement formula for waste tire grants. After a public hearing in October 1998, ADEQ decided to do a full review of Regulation 14, which will result in a new proposal including these changes. A draft of the new proposal is expected to be released for informal comment in the Summer of 2000. *For further information, please contact Pat Henry, ADEQ, at (501) 682-0588.*

Update of Solid Waste Management Regulation (Regulation 22). ADEQ is planning to update its solid waste management regulation. The revisions will clean up the language of the rule and incorporate legislative changes that have occurred since the rule was last updated in 1994. The staff doesn't expect a proposal to be published before the end of 2000. *For further information, please contact Pat Henry, ADEQ, at (501) 682-0588.*

STATE OF ARKANSAS FINAL DOCUMENT

Continuing Planning Process Document. ADEQ has adopted an update to the Arkansas Continuing Planning Process (CPP) document, which is a listing of the various components of the state's water quality management program. The primary components of the CPP describe the implementation procedures for various programs such as NPDES permitting, state water quality standards, water quality monitoring, and the total maximum daily load (TMDL) process. The document has been approved and is currently in use. *For further information, please contact Doug Szenher, ADEQ, at (501) 570-2114.*

[NOTE: General information regarding ADEQ and its various programs, including access to draft and final regulations, is available on ADEQ's web site at <http://www.adeq.state.ar.us/>.]

LOUISIANA

Legislative/Regulatory Activity

STATE OF LOUISIANA LEGISLATIVE ACTIVITY

Governor Mike Foster (R) called an Extraordinary Legislative session to address various pieces of his legislative agenda. The session, which began 19 March 2000, was concerned primarily with temporary taxes on food, utilities, and drugs. The session adjourned 7 April 2000. The next Regular Legislative session began 24 April 2000.

House Bill (H.B.) 139 (Special Session) – Sewage, Water. This bill requires any bond or other financial security to be conditioned on substantive compliance with, instead of full and satisfactory performance of, Louisiana Water Control Law and any permits. The bill also requires, among other things, that permittees provide the Secretary of Environmental Quality with a letter of good standing and no objection from the Public Service Commission, and prohibits a discharge from continuing for more than six months without required financial security. The bill was signed by the Governor and chaptered (Act 93) on 19 April 2000. The effective date of this bill is 6 June 2000.

H.B. 208 – Scrap Tires. This bill allows the Louisiana Department of Environmental Quality (LDEQ) to increase the fee on new tires to an amount up to \$2.50 per tire. The bill requires the fees to be reduced to \$2 per tire after LDEQ promulgates rules implementing the provisions (required by 1 July 2000). This bill died upon adjournment of the Special Session 7 April 2000.

H.B. 24 (Special Session) – Water. This bill, among other things, repeals the prohibition of barricades, barriers, fences or obstacles of any kind from being placed or laid across any river, and repeals the requirement to remove such obstacles immediately. The bill was signed by the Governor and chaptered (Act 80) on 19 April 2000. The effective date of this bill is 6 June 2000.

Senate Bill (S.B.) 49 (Special Session) – Water. This bill repeals provisions prohibiting any barricade, fence or obstacle from being placed upon or laid across any river in the Natural and Scenic Rivers system. The effective date of this bill is 13 June 2000. The bill, which passed both chambers unanimously, was sent to the Governor 7 April 2000. It is reported that the Governor is likely to sign this bill.

STATE OF LOUISIANA FINAL RULE

Clean Fuel Fleet Repeal (LAC 33:III.1951-1973). LDEQ is indefinitely postponing implementation of its clean fuel fleet program, including the registration deadline. The Department intends to substitute that program with surplus emission reduction credits contained in the 15% Rate of Progress SIP. The U.S. EPA has approved the credits as an acceptable clean fuel fleet substitute program. The effective date of this rule was 20 March 2000. *For more information, please contact Teri Lanoue, LDEQ, at (225) 765-0219.*

STATE OF LOUISIANA PROPOSED RULES

Air Quality (LAC 33:III.223, LAC 33:III.1901-1935, and Chapter 19 Appendix). The existing regulations at LAC 33:III.1901-1935 and the appendix at the end of Chapter 19 are being repealed, and the fees at LAC 33:III.223 are being amended, because the enhanced Motor Vehicle Inspection/Maintenance (I/M) Program was never implemented and was not reauthorized by the State Legislature (a condition to beginning vehicle testing). Therefore, these regulations for control of emissions from motor vehicles are moot and obsolete. A low enhanced vehicle emissions I/M program was authorized by the legislature in 1999, and the Department of Public Safety promulgated a final rule on 20 December 1999 to implement the new requirements of this program. A public hearing was held 24 April 2000, and the comment period has closed. *A copy of the proposed rule is available at <http://www.deq.state.la.us/planning/regs/index.htm>. For further information, please contact Patsy Deaville, Regulation Development Section, LDEQ, at (225) 765-0399.*

Hazardous Waste (LAC 33:V.625, 630, 635, 660, and 717). Federal regulations promulgated in 40 CFR on 30 November 1998 contain certain provisions which conflict with state statutes; specifically, the process to approve or deny a remedial action plan (RAP) application; the effective date of an RAP; when to begin physical construction; appeal of the decision to deny a modification or revocation; and reissuance or termination of a RAP. This proposed rule replaces the federal requirements with equivalent state requirements that comply with the state statute. The rule also removes redundant state requirements for public notices for hazardous waste activities. A public hearing was held 24 April 2000, and the comment period has closed. *For further information, please contact Patsy Deaville, Regulation Development Section, LDEQ, at (225) 765-0399.*

SIP Revisions: Amendments to Contingency Plans for Several Parishes. LDEQ is proposing to amend the SIPs with regard to the following areas: Beauregard Parish, Grant Parish, Lafayette Parish, Orleans Consolidated Metropolitan Statistical Area, and St. Mary Parish. The contingency plan for each area will be revised to identify that the triggering event that will cause the implementation of contingency measures will be an actual monitored ozone violation of the National Ambient Air Quality Standards and not determined to be attributable to transport. A public hearing was held 27 March 2000 and the comment period has closed. *For more information, please contact Annette Sharp, LDEQ, at (225) 765-0219.*

[NOTE: Current regulatory information from LDEQ, including notices of intent, emergency rules, and final rules, can be found on LDEQ's web site at <http://www.deq.state.la.us/>. Click on "Rules and Regulations" and "Additions to the Louisiana Register."]

NEW MEXICO

Legislative/Regulatory Activity

STATE OF NEW MEXICO LEGISLATIVE ACTIVITY

The New Mexico Legislature convened on 18 January 2000 and adjourned 17 February 2000. A Special Legislative session convened at the beginning of April 2000.

H.B. 113 – Hazardous Waste. This bill, which would have removed the authority of the Environmental Improvement Board to require financial assurance from federal government facilities with regard to treatment, storage, or disposal of hazardous waste, died when the Legislature adjourned 17 February 2000.

STATE OF NEW MEXICO PROPOSED RULES

RCRA Adoption Packages 5, 6, 7 and 8 (20 New Mexico Administrative Code [NMAC]). NMED is proposing to adopt all hazardous waste rules published in the *Federal Register* from July 1994 to June 1998. The Department is adopting all of these packages now, in part, at the request of federal facilities in the state which want the state to adopt the munitions disposal rule contained in RCRA 7. The Department will adopt the munitions rule in its entirety. Other major amendments included in these packages are used oil rules and LDRs Phase IV. NMED is also planning to exclude from its current RCRA adoptions those provisions which are solely enforced by the U.S. EPA, such as international barge shipments. This is being done at the U.S. EPA's request. A public hearing was held 14 March 2000 and the comment period has closed. Approval by the Environmental Improvement Board is anticipated by the end of April 2000, which would result in its becoming effective by the end of June 2000. *For further information, please contact Robert Dinwiddie, NMED, at (505) 827-1561, ext. 1039.*

Update of Air Rules (20 NMAC 2.77, 2.78, 2.82, and 2.84). NMED is proposing to update several air rules to incorporate by reference the most recent federal revisions to the acid rain program, New Source Performance Standards (NSPSs), NESHAPs, and Maximum Achievable Control Technology (MACT) Standards for source categories. The rules will also be reformatted to meet new State Records Center requirements. A public hearing is scheduled for 12 May 2000 and written comments will be accepted until that date. *For further information, please contact Cliff Hawley, NMED, at (505) 827-2844.*

2000 303(d) List. NMED is proposing to update its 303(d) list for the year 2000. The list is of stream segments and lakes which have impaired designated uses and for which NMED must complete TMDL studies. The list also prioritizes the streams and includes a schedule of TMDL development. The deadline for submitting comments has been extended to 20 June 2000. *For further information, please contact Dave Hogge, NMED, at (505) 827-2981.*

STATE OF NEW MEXICO DISCUSSIONS

Water Quality Standards (20 NMAC 6.1). NMED is planning to repeal its general water quality standard for total organic carbon and replace it with site-based standards. The Department also is planning to revise the dissolved oxygen standard for the Santa Fe River. A proposal is expected to be published in the Summer of 2000. *For further information, please contact Steven Pierce, NMED, at (505) 827-2800.*

Solid Waste Rules (20 NMAC 9.1). NMED is planning to propose several changes to its solid waste rules. Among the changes being considered are less stringent requirements for composting facilities which handle only sludge and yard waste, revisions to siting standards for small landfills, and adding corporate financial tests for financial assurance. The Department expects to publish a proposal in the Summer of 2000. *For further information, please contact Butch Tyngate, NMED, at (505) 827-2775.*

[NOTE: General information regarding NMED and its various programs, including regulations and permitting, is available on NMED's web site at <http://www.nmenv.state.nm.us/frhome.html>.]

OKLAHOMA

Legislative/Regulatory Activity

STATE OF OKLAHOMA LEGISLATIVE ACTIVITY

The Oklahoma Legislature convened on 7 February 2000 and will be in session until 26 May 2000.

H.B. 2720 – Solid Waste, Landfill/Incinerator Bans. This bill prohibits the Oklahoma Department of Environmental Quality (ODEQ) from issuing permits for the siting of a new municipal solid waste landfill in locations that are in close proximity to a locally fractured or cavernous limestone or cherty limestone bedrock that is in or over an aquifer classified as high or very high in vulnerability level under the Oklahoma Groundwater Quality Standards. The bill also defines "karst area." The House passed this bill (96 to 0) on 10 February 2000. The bill was introduced and referred to the Senate Energy, Environmental Resources Committee on 28 February 2000, and the bill was

reported from committee on 23 March 2000. It is reported that prospects for Senate consideration of the bill are favorable. A copy of this bill is available at http://www2.lsb.state.ok.us/1999-00HB/hb2720_enqr.rtf.

S.B. 860 – Solid Waste, Landfill/Incineration Bans. This bill prohibits ODEQ from issuing permits for new siting or expansion of municipal solid waste landfills located in or over karst terrain and which are a principal groundwater resource or recharge area as determined by the Oklahoma Geological Survey. The bill passed the Senate on 7 March 2000 and passed the House amended on 17 April 2000. It is reported that prospects for this bill's further consideration are favorable. A copy of the bill is available at http://www.lsb.state.ok.us/1999-00SB/SB860_int.rtf.

S.B. 861 – Voluntary Remediation, Environmental Administrative Procedures. This bill prohibits ODEQ from seeking administrative or civil penalties against a regulated entity when (1) the entity voluntarily and promptly discloses noncompliance with state environmental statutes or rules before the Department has notice of noncompliance, (2) the noncompliance is not deliberate or intentional, (3) the noncompliance occurs despite the entity's good faith attempt to comply with the statutes and rules, (4) the entity took immediate and reasonable action to correct the noncompliance upon discovery, (5) the entity has taken, or has agreed to take, complete remedial action, (6) the entity has not received a significant economic or competitive advantage as a result of the noncompliance, (7) the entity must disclose information to the public if the noncompliance creates a danger to health and safety, and (8) the entity provides proof of compliance with the above conditions. The bill also allows ODEQ to consider the good faith efforts of the regulated entity in assessing or reducing administrative or civil penalties. The Senate Energy, Environmental Resources and Regulatory Affairs Committee held a public hearing on the bill, and the bill was reported from that committee on 21 February 2000. It is reported that prospects for further consideration of the bill are favorable. The text of the bill is available at http://www.lsb.state.ok.us/1999-00SB/SB861_int.rtf.

S.B. 1223 – Solid Waste. This bill raises the penalty for violation of solid waste standards from \$500 per day to \$1000 per day. The bill passed the Senate and then the House, but the Senate refused to concur on House amendments 18 April 2000. The Governor is expected to sign the bill. A copy of the bill is available at http://www.lsb.state.ok.us/1999-00SB/SB1223_int.rtf.

STATE OF OKLAHOMA FINAL EMERGENCY RULES

New Source Performance Standards (Oklahoma Administrative Code [OAC] 252:100-4). ODEQ has adopted an amendment to NSPSs (subchapter 4) to update its incorporation by reference of federal standards amended between 1 July 1997 and 1 July 1999. The proposal has been adopted as an emergency rule effective until 14 July 2000. For further information, please contact Michelle Martinez, ODEQ, at (405) 702-4100.

Control of Emission of Carbon Monoxide (CO) (OAC 252:100-35). ODEQ, as part of its re-write/de-wrong initiative, has adopted a rule proposal to amend its CO requirements. The scope of the subchapter has been narrowed to specific sources that are the primary contributors of CO emissions. Definitions have been added for "existing source," "new source," and "gray iron cupola." The section on performance testing has been revoked because the requirements are included in subchapters 8 and 43. The proposal was adopted as an emergency rule effective 5 January 2000 and will remain in effect until 14 July 2000. For further information, please contact Michelle Martinez, ODEQ, at (405) 702-4100.

Control of Emission of Hazardous and Toxic Air Contaminants (OAC 252:100-47). ODEQ has adopted a proposal to incorporate by reference the federal MACT standards for hazardous air pollutants in 40 CFR Part 63 that have been promulgated between 1 July 1998 and 1 July 1999. The Department also updated its incorporation of 40 CFR Part 61 (NESHAPs) to 1 July 1999. The proposal was adopted as an emergency rule effective 5 January 2000 and will remain in effect until 14 July 2000. For further information, please contact Joyce Sheedy, ODEQ, at (405) 702-4100.

STATE OF OKLAHOMA PROPOSED RULES

Procedures of the Department of Environmental Quality; Environmental Permit Processing Times (OAC 252:2-15). This rulemaking removes on-site sewage disposal systems, except for alternative systems, from Tier I permitting. Changes are being made to Chapter 641, Individual and Small Public On-Site Sewage Disposal Systems, to establish permits for on-site sewage disposal systems as general permits in accordance with state law. A public hearing was held 18 April 2000 before the Water Quality Management Advisory Council and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. For

for further information, please contact David Freede, ODEQ, at (405) 702-6222, or e-mail david.freede@deqmail.state.ok.us.

Air Pollution Control; Permits for Minor Facilities and Incinerators (OAC 252:100-7 and 15). The proposed changes to Subchapter 7 consist of adding two sections that, respectively, reference the permit by rule for VOC storage and loading facilities, and reference the permit by rule for particulate matter facilities. These section additions are not substantive. A third section being added is the proposed permit by rule for natural gas compression facilities, which contains substantive requirements. ODEQ is proposing amendments to Subchapter 17, Part 3. Section 3 would be amended to remove references to an effective date, and Section 5(3) would be deleted. A new Section 5.1, Alternative Incinerator Design Requirements, would be added to clarify that the Division Director may approve incinerator designs that do not meet the requirements specified in 252:100-17-5. A public hearing was held 19 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact Joyce Sheedy (Subchapter 7) or Cheryl Bradley (Subchapter 17), ODEQ, at (405) 702-4100.*

Air Pollution Control; Excess Emission and Malfunction Reporting Requirements, Alternative Emissions Reductions Permits, and Control of Emission of Nitrogen Oxides (OAC 252:100-9, 11 and 33). The proposed amendments to Subchapter 9 include several substantive changes, including (1) adding definitions, (2) adding additional demonstration requirements for malfunctions and startups/shutdowns, (3) adding language regarding exemptions, (4) providing for ODEQ investigation in certain cases of excess emissions, (5) clarifying ODEQ's authority to order corrective action or cessation of activities, and (5) narrowing the scope of the rule to minor sources only. The proposed amendments to Subchapter 11 will clarify and simplify the language as part of the agency re-right/de-wrong initiative. No substantive changes are being made. The proposed changes to Subchapter 33 are to primarily simplify and clarify requirements and to remove redundant requirements as part of the agency re-right/de-wrong initiative. Additional revisions being considered that may be substantive in nature include (1) clarifying whether the rule applies to municipal waste incinerators subject to Subchapter 17, (2) clarifying or deleting the term "two-hour maximum" in 252:100-33-2, and (3) exemption of sources subject to as-stringent federal NOx standards. A public hearing before the Air Quality Council was held 19 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact Jeanette Buttram (Subchapter 9), Michelle Martinez (Subchapter 11), or Joyce Sheedy (Subchapter 33), ODEQ, at (405) 702-4100.*

Alternative Incinerator Design Requirements (OAC 252:100-17). ODEQ is proposing revisions to its incinerator rules. A new section, Alternative Incinerator Design Requirements, is proposed to clarify that the division may approve incinerator designs that do not meet the otherwise specified requirements. A public hearing before the Air Quality Council was held 19 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact Cheryl Bradley, ODEQ, at (405) 702-4179.*

Solid Waste Rules Rewrite (OAC 252:530). ODEQ is planning an extensive rewrite of its solid waste rules. The main purpose of this effort is for clarification and simplification. A public hearing was held before the Solid Waste Management Advisory Council in October 1999. The staff reports that this rulemaking has been placed on hold pending the completion of a less extensive revision of Chapters 510 and 520. *For further information, please contact Jon Roberts, ODEQ, at (405) 702-5100.*

General Water Quality (OAC 252:610 and 611). This rulemaking is part of the re-right/de-wrong process to remove unenforceable rules and simplify existing language. Since many changes were necessary, Chapter 610 is being revoked and replaced by a new Chapter 611, General Water Quality. A public hearing before the Water Quality Management Advisory Council was held 18 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail shellie.chard@deqmail.state.ok.us.*

Non-Industrial Impoundments and Land Application (OAC 252:620 and 621). This rulemaking is part of the re-right/de-wrong process to remove unenforceable rules and simplify existing language. Since many changes were necessary, Chapter 620, Non-Industrial Impoundments, is being revoked and replaced by a new Chapter 621, Non-Industrial Impoundments and Land Application. As part of the simplification process, the applicable rules to non-industrial land application were moved from OAC 252:647 to OAC 252:620. A public hearing before the Water Quality Management Advisory Council was held 18 April 2000, and the comment period has closed. The

Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For more information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail shellie.chard@deqmail.state.ok.us.*

Individual and Small Public On-Site Sewage Disposal Systems; General Provisions, Percolation Tests and Soil Profiles, Aerobic Systems, Lagoons, Alternative Systems, Voluntary Certification for Individual Sewage Disposal System Installers, Appendices (OAC 252:641-1, 3, 13, 15, 17, and 21, and Appendices E-G, and K). This rulemaking establishes permits for on-site sewage disposal systems as general permits, except for alternative systems, which will be under Tier I permitting. A public hearing before the Water Quality Management Advisory Council was held 18 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact David Freede, ODEQ, at (405) 702-6222, or e-mail david.freede@deqmail.state.ok.us.*

Reservoir Sanitation (OAC 252:635). ODEQ is proposing revisions to Subchapter 635 as part of its re-write/de-wrong initiative to remove unenforceable rules and simplify existing language. A public hearing before the Water Quality Management Advisory Council was held 18 April 2000, and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For further information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail shellie.chard@deqmail.state.ok.us.*

Land Application of Biosolids (OAC 252:647 and 648). Proposed changes include the revocation of OAC 252:647 and replacement with OAC 252:648. This rulemaking is in conjunction with ODEQ's continuing re-right/de-wrong process, including the removal of rules no longer necessary, simplifying the language and correcting typographical errors. A public hearing before the Water Quality Management Advisory Council was held 18 April 2000 and the comment period has closed. The Environmental Quality Board is scheduled to consider the proposal on 20 June 2000. *For more information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail shellie.chard@deqmail.state.ok.us.*

STATE OF OKLAHOMA DISCUSSIONS

Fugitive Dust Rules (OAC 252:100-29). ODEQ is planning to make revisions to Subchapter 29, relating to fugitive emissions. The revisions will be made as part of the Department's re-write/de-wrong initiative. No substantive changes are currently planned. The proposal is scheduled to be published 15 May 2000. *For further information, please contact Michelle Martinez, ODEQ, at (405) 702-4100.*

Sulfur Emission Rules (OAC 252:100-31). ODEQ is planning to make revisions to Subchapter 31, relating to sulfur emissions. The revisions are part of the Department's effort to simplify and clarify its rules. No substantive changes are currently planned. The proposal is scheduled to be published 17 July 2000. *For further information, please contact Michelle Martinez, ODEQ, at (405) 702-4100.*

Sampling Rules (OAC 252:100-43). ODEQ is planning to make revisions to Subchapter 43, relating to sampling of air emissions. The revisions will be made as part of the Department's re-write/de-wrong initiative. No substantive changes are currently planned. The proposal is scheduled to be published not earlier than 15 September 2000. *For further information, please contact Michelle Martinez, ODEQ, at (405) 702-4100.*

2000 303(d) List. ODEQ is planning to update its 303(d) list even though the U.S. EPA is not requiring an update this year. ODEQ had completed a substantial amount of work on the update before the requirement was waived. A draft is expected to be released for public comment in late May 2000; a public hearing on the list will be held by late June 2000. It is anticipated that the updated list will then be submitted to the U.S. EPA by mid-July 2000. *For further information, please contact Mark Derichweiler, ODEQ, at (405) 702-8188.*

[NOTE: General information regarding ODEQ and its various programs, including access to rules and regulations, is available on ODEQ's web site at <http://www.deq.state.ok.us/>.]

TEXAS

Legislative/Regulatory Activity

STATE OF TEXAS LEGISLATIVE ACTIVITY

The next Regular Legislative session begins in January 2001. The Legislature will treat 2000 as an interim session and will meet in Committees to discuss various issues.

STATE OF TEXAS FINAL RULES

East Texas Regional Gasoline Program (30 Texas Administrative Code [TAC] 114). TNRCC adopted a new rule that places limits on increases in the use of MTBE, while still retaining the air quality benefits of cleaner burning fuels. The requirement, which applies to gasoline sold in 95 Texas counties, prohibits the increased use of MTBE to meet a requirement that the gasoline evaporate less quickly than conventional gasoline. The new rule also requires all parties in the gasoline distribution chain to maintain proper documentation of fuel transfers. The MTBE provisions in the new rule address concerns about how this additive, which is water soluble, can affect water quality if spilled into a stream or groundwater.

proposal would also incorporate the most recent promulgations of 40 CFR Parts 72, 74 and 76 concerning acid rain requirements. A public hearing was held 13 April 2000 and the comment period has closed. The Commission is expected to approve this revision during its July 2000 meeting. *For further information, please contact Beecher Cameron, Policy and Regulations Division, TNRCC, at (512) 239-1495, or fax to (512) 239-4808, or e-mail becamero@tnrcc.state.tx.us.*

Adoption of Federal Drinking Water Rules (30 TAC 290). The proposed rule will improve drinking water quality by reducing the level of *Cryptosporidium* and disinfectant by-products in the water. TNRCC is proposing to adopt a rule to implement the federal Interim Enhanced Surface Water Treatment Rule (63 FR 69478) and the Stage 1 Disinfectants and Disinfection By-products Rule (63 FR 69390). The Commission is proposing to extend the federal surface water treatment rule to include public water systems that service less than 10,000 people. The proposal also amends the state design criteria for drinking water treatment plants. A public hearing is scheduled for 12 May 2000, and comments will be accepted until 22 May 2000. *For further information, please contact Jack Schulze, TNRCC, at (512) 239-6046.*

Quadrennial Review of Chapter 294, Underground Water Management (30 TAC 294). TNRCC will conduct a quadrennial review of the entire Chapter 294 to determine if the regulation is still valid and if the controls are still appropriate, and to receive suggestions for improvement. The review will include an evaluation of recent legislation affecting the statutory authority for the rule. No significant or substantive changes are anticipated. A concurrent proposed rule package may be needed to address conforming language changes made in the statute this last legislative session. No public hearing is scheduled, and the comment period closed 8 May 2000.

Quadrennial Review of Chapter 335, XX (30 TAC 335). TNRCC will conduct a quadrennial review of all sections of Chapter 335 to determine if the original reason for adopting the rules continue to exist. TNRCC will also determine whether portions of the chapter should be revised to clarify requirements, reflect changes to other TNRCC rules, improve compliance, and correct inconsistencies. Examples of specific proposed changes include (1) repealing Subchapter L (Control of Air Pollution from Hazardous Waste or Solid Waste Management Facilities), (2) revising Subchapter A to clarify transfer facility definition and requirements, and (3) other changes to ensure the consistency of certain requirements within the chapter. The proposed repeals will not impact the regulated community. The comment period closed 24 April 2000; no public hearing was scheduled. *For further information, please contact Ray Henry Austin, TNRCC, at (512) 239- 6814.*

Quadrennial Review of Chapter 343, Oil and Hazardous Substances (30 TAC 343). This rulemaking consists of a quadrennial review of Chapter 343. Adoption will be by August 2000. *For more information, please contact Hector Mendieta, TNRCC, at (512) 239-6694.*

TMDL for Nickel in the Houston Ship Channel. TNRCC is proposing a TMDL for dissolved nickel in the Houston Ship Channel System. The TMDL allocates the maximum loading of nickel that will not cause a violation of the applicable water quality standard, and allocates the load among the various point and nonpoint sources in the system. The TMDL determines the allowable loading, permit limits, and permitting procedures for dissolved nickel for all wastewater discharges into this system. The proposal is currently pending Commission approval. *For more information, please contact Larry Koenig, TNRCC, at (512) 239-4533.*

Air Quality Adoption Packages. Draft Air Quality Adoption Packages were filed with the TNRCC Chief Clerk for consideration by the commissioners at the 19 April 2000 agenda. *The text of the revised packages is available at <http://www.tnrcc.state.tx.us/oprd/991216.html>.*

STATE OF TEXAS DISCUSSIONS

Emissions Credit Banking and Trading (30 TAC 101.301-101.304). TNRCC is developing revisions to the banking rule to standardize emission banking and trading for all pollutants by incorporating trading components from Chapters 114 and 115 into Chapter 101. The revision will correct inaccuracies and omissions from the original rules to make the banking rule consistent with current policy. The proposal will also address any changes to the trading rules made during the current legislative session. A proposal is expected to be published by July 2000. *For further information, please contact Mike Magee, TNRCC, at (512) 239-1511.*

Industrial Hazardous Waste Recycling Rules (30 TAC 335.1, .17, .18, .19, .24). TNRCC is developing revisions to its industrial hazardous waste recycling rules. The revisions will correct inconsistencies between federal and state recycling rules and will add cross-referencing to help identify those parts of the regulations that concern

recycling. The revisions will also add criteria under which a nonhazardous waste that is to be recycled via land application can escape regulation as a waste. In addition, the rulemaking will expand the number of exemptions from the definition of solid waste currently found in 30 TAC 335.1(119). The amendments would exempt materials from solid waste regulations if they are recycled by being applied to or placed on the land. Materials must meet eight criteria to be eligible for the exemption. The purpose of the proposal will be to encourage recycling of these materials. The proposal is being developed at the request of several generators of high volume low toxicity wastes who feel that having the materials regulated as wastes causes them to bear a stigma which discourages recycling that involves land application. TNRCC has solicited informal comments on the proposal. A proposal is expected by July 2000. *For further information, please contact Ray Henry Austin, TNRCC, at (512) 239-6814.*

[NOTE: Current TNRCC regulatory information, including proposals, adoptions, and a rules tracking log, is available on TNRCC's web site at <http://www.tnrcc.state.tx.us/>.]

REGION VII STATE ACTIVITY

IOWA

Legislative/Regulatory Activity

STATE OF IOWA LEGISLATIVE ACTIVITY

The Iowa Legislature convened 10 January 2000 and adjourned 26 April 2000.

REC Comment: Most of the environmental bills proposed earlier in this session of the legislature are now dead, because they failed to make the deadlines for consideration in the house of origin or in the other chamber. Among the bills we are continuing to monitor are S.F. 2430 – Water Quality, Groundwater.

House File (H.F.) 2423 – Voluntary Remediation. This bill defines “Brownfield site” and “sponsorship.” The bill creates a Brownfield redevelopment program and fund to provide financial and technical assistance for the acquisition, remediation or redevelopment of Brownfield sites. This bill was signed by the Governor on 14 April 2000. The effective date of the bill is 1 July 2000. *A copy of the bill is available at <http://www.legis.state.ia.us/GA/78GA/Legislation/HF/02400/HF02423/Current.html>.*

H.F. 2438 – Hazardous Waste. An amendment to this bill removes the sunset clause, and extends a partial suspension of permitting requirements for facilities that deal with hazardous waste. This bill was signed by the Governor on 7 April 2000. The effective date of this bill is 1 July 2000. *A copy of the bill is available at <http://www.legis.state.ia.us/GA/78GA/Legislation/HF/02400/HF02438/Current/html>.*

H.F. 2494 – Chemical Bans/Restrictions, Agricultural Products. This bill establishes standards for the Department of Agriculture and Land Stewardship for the regulation of fertilizers and soil conditioners. The bill provides that the prohibition on the sale of certain fertilizers unless they meet the standard for chemical content does not apply to compost materials to be applied on land used, or soon to be used, to produce an organic agricultural commodity. This bill was signed by the Governor on 12 April 2000. The effective date of this bill is 1 July 2000. *A copy of the bill is available at <http://www.legis.state.ia.us/GA/78GA/Legislation/HF/02400/HF02494/Current.html>.*

Senate File (S.F.) 368 – Endangered Species. This bill establishes civil and criminal penalties for illegal act affecting endangered or threatened species of fish, plants or wildlife. The bill also changes the reviewing of the state endangered or threatened species list to every five years from two. This bill, after passing the Senate, died upon failing to meet the House Natural Resources Committee reporting deadline 17 March 2000.

S.F. 2299 – Endangered Species. This bill requires the Iowa Department of Natural Resources (IDNR) to submit a report to the general assembly by 15 December 2000 explaining the methodology used to determine which animals and plants are on the state endangered species list. The bill also requires the report to include all of the fish, plants and wildlife that are on the list. The bill was referred to the House Natural Resources Committee after passing the Senate, and failed in Committee 15 March 2000. The bill is, therefore, dead.

S.F. 2311 – Hazardous Waste. A March amendment to this bill defines “transfer station.” The bill removes the requirement that the Environmental Protection Commission adopt rules for a special waste authorization program. The bill died after failing to meet the Senate Natural Resources and Environment Committee reporting deadline 17 March 2000.

S.F. 2371 – Water Quality, Wetlands. The final version of this bill establishes, among other things, a Water Quality Initiative program by the Department of Agriculture and Land Stewardship (DALs) and IDNR, and a conservation reserve enhanced program to restore or construct wetlands. The bill also allows IDNR to operate water quality monitoring stations, and DALs to implement a program for flood control, water quality erosion control and natural resource conservation. This bill was signed by the Governor on 7 April 2000. The effective date of this bill is 1 July 2000. *A copy of the bill is available at http://www.legis.state.ia.us/cgi-bin/Legislation/File_only.pl?FILE=/usr/ns-home/docs/GA/78GA/Legislation/SF/02300/SF02371/000307.html.*

S.F. 2430 – Water Quality, Groundwater. The current version of this bill (17 April 2000) appropriates funds to DALs and IDNR. The bill appropriates for the Water Quality Protection Fund and the Groundwater Protection Fund. The bill passed the House and Senate and has been sent to the Governor, who is expected to sign the bill. The bill is effective immediately. *A copy of the bill is available at <http://www.legis.state.ia.us/GA/78GA/Legislation/SF/02400/SF02430/Current.html>.*

STATE OF IOWA FINAL RULES

Title V Permit Fee Increase (Iowa Administrative Code [IAC] 22.106[1]). IDNR is reviewing its air quality rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings were held in April 2000 and the comment period has closed. IDNR has amended its Title V fees to cap the maximum fee at \$29/ton (from \$24/ton). The rule became effective 26 April 2000. *For further information, please contact Doug Campbell, IDNR, at (515) 281-8930.*

Adoption by Reference of NESHAPs (IAC 23). IDNR has amended its air rules. The amendments adopt recent federal air program amendments, including any new or revised MACT standards. Specifically, this rulemaking adopts by reference 13 NESHAPs and four generic national standards for emission control that were promulgated by the U.S. EPA. The 13 emissions standards are (1) Portland cement manufacturing, (2) phosphoric acid manufacturing, (3) phosphate fertilizer production, (4) wool fiberglass manufacturing, (5) generic MACT, (6) oil and gas production, (7) natural gas transmission and storage, (8) pesticide active ingredients production, (9) ferroalloys production: ferromanganese and silicomanganese, (10) polyether polyols production, (11) steel pickling – hydrochloric acid process facilities and hydrochloric acid regeneration plants, (12) mineral wool production, and (13) primary lead smelting. The four generic emissions standards are (1) closed vent systems, control devices, recovery devices and routing to a fuel gas system or a process, (2) equipment leaks – control level 1, (3) equipment leaks – control level 2, and (4) storage vessels (tanks) – control level 2. The Department tries to update its air rules every six months. The rule became effective 26 April 2000. *For further information, please contact Doug Campbell, IDNR, at (515) 281-8930.*

STATE OF IOWA PROPOSED RULES

Corrective Action Deadlines for Underground Storage Tanks (IAC 11.1[3], [5]). The Iowa Division of Insurance is proposing to amend the deadline for risk-based corrective action. Corrective action design reports would be due either 30 June 2000 or 180 days after a confirmed release, whichever is later. *For further information, please contact Ms. Jo Oldson, Iowa Division of Insurance, at (515) 281-5705.*

General Permits (IAC Chapter 61). IDNR is proposing to amend its water quality standards to adopt five new Nationwide permits, six modified Nationwide permits, and a regional general permit specific to Iowa. IDNR will adopt the 11 Nationwide permits by reference. The regional general permit applies to the Rock Island District and would require preconstruction coordination with resource agencies if the potential loss to a jurisdictional water is greater than ¼ acre or 250 linear feet of streambed. The Environmental Protection Commission discussed the proposed rule 20 March 2000. *For further information, please contact Christine Schwake, IDNR, at (515) 281-8895.*

MTBE Limit in Motor Fuels (21 IAC 85.33). The Iowa DALs is proposing to limit MTBE to no more than 2% by volume in motor fuels offered for sale in Iowa. The comment period has closed. *For further information, please contact Darryl Brown, Iowa DALs, at (515) 281-5716.*

Regulatory Reform Review – Cleanup/Brownfields (Executive Order 8). IDNR is reviewing its hazardous waste remediation rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings were held in April 2000 and the comment period has closed. *For further information, please contact Lambert Nnadi, IDNR, at (515) 281-4117.*

Regulatory Reform Review – Conservation (Executive Order 8). IDNR is reviewing its parks, recreation and preserves protection rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings are scheduled for 4, 11, 17 and 25 May 2000. Written comments are due by 25 May 2000. *For further information, please contact Arnie Sohn, IDNR, at (515) 281-5814.*

Regulatory Reform Review – Forest Conservation (Executive Order 8). IDNR is reviewing its forest and prairie protection rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings are scheduled for 5, 6, 13 and 15 June 2000. Written comments are due 15 June 2000 according to IDNR. *For further information, please contact James Bulman, IDNR, at (515) 281-5441.*

Regulatory Reform Review – Wildlife Conservation (Executive Order 8). IDNR is reviewing its fish and wildlife protection rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings were held in April 2000 and the comment period has closed. *For further information, please contact Randy Edwards, IDNR, at (515) 281-6154.*

Regulatory Reform Review – Solid Waste (Executive Order 8). IDNR is reviewing its solid waste rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings were held in April 2000 and the comment period has closed. *For further information, please contact Lavoy Haage, IDNR, at (515) 281-8895.*

Regulatory Reform Review – Tanks (Executive Order 8). IDNR is reviewing its underground storage tanks rules per Executive Order 8, which requires agencies to review their rules in order to update and remove redundant or obsolete rules. Public hearings were held in April 2000 and the comment period has closed. *For further information, please contact Paul Nelson, IDNR, at (515) 281-8779.*

STATE OF IOWA DISCUSSIONS

Review of Title V Fee Structure. IDNR will conduct a review of its Title V fee structure in the year 2000. The Department will investigate whether the current fee structure of basing Title V fees on \$/ton of actual emissions is fair and reasonable, or whether another fee structure would be better. *For more information, please contact Corey McCoid, IDNR, at (515) 281-4801.*

Counsel Comment: In response to complaints from business groups about the “equitableness” of the fee structure, IDNR began conducting a review of that structure in March 2000. The first meeting of the client contact group is scheduled for June 2000, with an anticipated completion date for the review of late 2000 or early 2001. *To register to be on a client contact group, as well as to review the agenda for the meetings, go to <http://www.state.ia.us/epd/ccg/ccg.htm>.*

[NOTE: General information regarding the IDNR and its various programs, including a status report on proposed rules, draft rules, adopted rules awaiting publication, and recently adopted rules, is available on IDNR’s web site at <http://www.state.ia.us/government/dnr/index.html>.]

KANSAS

Legislative/Regulatory Activity

STATE OF KANSAS LEGISLATIVE ACTIVITY

The Kansas Legislature convened on 10 January 2000. No bills are being considered after 8 April 2000, unless vetoed by the Governor.

H.B. 2860 – Solid Waste. This bill, among other things, exempts Construction and Demolition waste generated by any government entity (to include federal agencies) from tipping fees; and imposes a tonnage fee of \$1 for each ton of waste tires. The bill allows the Secretary of Health and Environment to waive the tonnage fee when large quantities of wastes are generated on account of natural disasters. The 20 March 2000 amendments allow County Commissions to exempt solid waste from the statewide tipping fee if transferred out of state through a solid waste station, which would ban receipt of any solid waste grant funds. This bill was signed by the Governor on 16 April 2000.

S.B. 388 – Water, Groundwater. This bill creates a “water banking” system by which a private not-for-profit corporation may moderate water use within a watershed by accepting water rights deposits within a watershed and leasing these water rights on deposit to prospective users. The bill passed the Senate and then the House. The Senate did not agree to the House technical amendments and a Conference Committee was appointed 28 March 2000. Legislative sources indicate the Governor is expected to sign this measure.

STATE OF KANSAS FINAL EXECUTIVE ORDER

Preventing and Remediating Pollution of the Equus Beds Aquifer (Executive Order 00-04). The Governor has ordered KDHE to determine the sources, locations, and nature of pollution or potential pollution to the equus beds aquifer. The Department is also supposed to outline current or proposed programs to regulate or prevent such pollution. Similarly, the Department is supposed to report on current or proposed remediation projects. The equus beds aquifer is in south-central Kansas. The Governor ordered KDHE to publish a report on its findings by 1 February 2001. KDHE must periodically update the report as new information becomes available.

STATE OF KANSAS DISCUSSIONS

TMDLs for Cimarron, Upper Arkansas, and Lower Arkansas Basins. KDHE is developing TMDLs for the Cimarron, Upper Arkansas, and Lower Arkansas Basins. The major impairments are fecal coliform bacteria for streams and excessive algal production for lakes. Eight public hearings are scheduled. *For further information, please contact Tom Stiles, KDHE, at (785) 296-6170.*

TMDLs for Missouri and Marais de Cygnes Basins. KDHE will be developing TMDLs for the Missouri and Marais de Cygnes Basins after 30 June 2000. TMDLs for the Kansas-Lower Republican Basin have already been finalized. *For further information, please contact Tim Stiles, KDHE, at (785) 296-6170.*

Water Quality Standards. KDHE will be amending certain water quality standards starting in the Summer of 2000. The Department will propose to change the fecal coliform standard from a geometric mean of 200 coliforms per 100 milliliters to a grab sample of 900 coliforms per 100 milliliters. The Department will do some housekeeping changes of arsenic and endrin standards, and will review its minimum flow standard. The Department is also planning to increase its chronic chloride standard from 238 milligrams per liter to 358, and it will review its definition of “waters.” Other standards are also likely to be considered for amendment.

Adoption of Federal RCRA Updates. KDHE is preparing another package of amendments to its hazardous waste management regulations. The Department will be proposing to adopt by reference federal RCRA amendments promulgated from 1 July 1996 through June 1999, including the military munitions rule, post-closure rules, hazardous waste identification rule for media, Phase IV LDRs, MACT rules, and hazardous waste lamp rules. KDHE is planning to propose these amendments in July 2000, and anticipates the effective date of this update to be late Summer/early Fall of 2000. *For further information, please contact George McCaskill, KDHE, at (785) 296-1606.*

Solid Waste Rule Amendments. KDHE is drafting amendments to its solid waste rules. According to staff, the amendments will cover groundwater and vertical expansion. The Department anticipates issuing a proposed rule in the Spring of 2000. *For further information, please contact George McCaskill, KDHE, at (785) 296-1606.*

Medical Waste Rules. KDHE is considering several amendments to its solid waste rules regarding medical waste. The Department anticipates completing a draft rule in August 2000 and holding a public hearing in December 2000. *For further information, please contact George McCaskill, KDHE, at (785) 296-1606.*

Incorporation of Federal Air Rules. KDHE is planning to adopt the federal rules promulgated from 1 July 1998 through June 1999. The adoption would include changes to NSPSs, NESHAPS, and MACT standards. The Department anticipates releasing a draft in the Summer of 2000. *For further information, please contact Ralph Kieffer, KDHE, at (785) 296-6428.*

Acid Rain. KDHE is preparing to propose amendments to its air rules to adopt federal updates to its acid rain provisions. The Department is proposing to adopt the federal NO_x and CAM rules, and is planning to release a rule draft in the Summer of 2000. *For further information, please contact Ralph Kieffer, KDHE, at (785) 296-6428.*

[NOTE: General information regarding KDHE and its various programs, including access to rules and regulations, is available on KDHE's web site at <http://www.kdhe.state.ks.us/>.]

MISSOURI

Legislative/Regulatory Activity

STATE OF MISSOURI LEGISLATIVE ACTIVITY

The Missouri Legislature convened on 5 January 2000 and will adjourn on 12 May 2000.

Executive Order. Governor Mel Carnahan issued an executive order that sets in motion a plan to ban the use of MTBE. In letters to U.S. EPA Administrator Carol Browner and members of the Missouri congressional delegation, Carnahan noted that certain conditions must be met before a ban could be enacted in Missouri, and urged the development of a national plan to phase out the use of the fuel additive. The state is asking the U.S. EPA for a waiver of its requirement that MTBE or other fuel additives be used to make gasoline burn more cleanly. The government said Missouri would continue to meet the federal clean air standards by adding an alternative oxygenate, ethanol, to gasoline sold in the state.

H.B. 1439 – Waste, Landfill/Incineration Bans. This bill permits yard waste disposal if it is mixed with solid waste collected as part of a comprehensive neighborhood or city-wide cleanup program sanctioned by a municipality. It is reported that prospects for the bill's passage are unfavorable. The sponsor has withdrawn his request for the bill to be heard and unless he resubmits his request, the bill will not be considered. MDNR is concerned that allowing yard waste to be disposed of in the solid waste landfills would have a negative impact on their efforts to reduce the waste stream going to their solid waste landfills. *A copy of the bill is available at <http://www.house.state.mo.us/bills00/biltxt00/intro00/HB1439I.htm>.*

H.B. 1550 – Solid Waste, Hazardous Waste, Water. This bill prohibits MDNR from having rules on solid waste disposal, hazardous waste management, land reclamation, air conservation and clear water that are stricter than federal regulations. The bill was referred to the House Environment and Energy Committee 27 January 2000. It is reported that prospects for this bill's consideration are unclear. Depending upon the definition of "stricter than" or "comparable to," MDNR may have up to 160 rules considered "stricter than" federal law. Depending upon the interpretation of "significant adverse impact" and "reasonably available scientific data," the Department estimates it would take between 120 hours and 450 hours per rule to review, document, substantiate and possibly promulgate revised state rules. The companion bill is S.B. 750. *A copy of the bill is available at <http://www.house.state.mo.us/bills00/biltxt00/intro00/HB1550I.htm>.*

H.B. 1801 – Reformulated Fuels. This bill requires metropolitan areas with more than 300,000 inhabitants to phase in replacement of reformulated gasoline containing MTBE with reformulated gasoline containing 10% ethanol. The replacement process will begin in 1 January 2002, and will be completed by a date established in rules by the Department of Agriculture. The bill was referred to the House Environment and Energy Committee 10 February 2000 and a hearing held 17 February 2000. It is reported that prospects for this bill's further consideration are unclear. If this bill becomes law, MDNR's SIP for the reduction of VOC emissions in ozone non-attainment areas (namely, St. Louis) may be impacted. If the new fuel requirements have fewer emissions reductions, those reductions would have to be made up with new strategies. This would require the state to seek additional air pollutant reductions from businesses already regulated or the state may be required to regulate smaller businesses in the non-attainment area. The federal Clean Air Act mandates only the amount of oxygenate required, not the type of oxygenate (either MTBE or ethanol); therefore, there may be legal challenges to this legislation. MDNR believes this will increase the price of gasoline to the public.

H.B. 1841 – Noxious Weeds. This bill requires the use of methods to contain and eradicate cut-leaved teasel, common teasel, and kudzu vine. The bill passed the House 3 April 2000 and was referred to the Senate Agriculture, Conservation, Parks and Tourism Committee on 10 April 2000. A hearing was held and the bill was reported from the Committee "do pass" on 17 April 2000. It is reported that prospects for Senate passage are favorable. *A copy of the bill is available at <http://www.house.state.mo.us/bills00/bills00/HB1841.HTM>.*

H.B. 1913 – Water, Permitting (General). This bill extends the sunset for clean water permit fees from 31 December 2000 to 31 December 2003. The bill was referred to the House Environment and Energy Committee 17 February 2000, and it is reported that prospects for this bill's consideration are unclear. *A copy of the bill is available at <http://www.house.state.mo.us/bills00/bills00/HB1913.HTM>.*

H.B. 1927 – Water, Permitting (General). This bill establishes a fee schedule for water pollution permits. The bill was reported from the House Environment and Energy Committee “do pass” on 6 March 2000. It is reported that prospects for this bill’s passage are unclear. A copy of the bill is available at <http://www.house.state.mo.us/bills00/bills00/HB1927.HTM>.

H.B. 2025 – Landfill/Incinerator Bans. This bill requires sanitary landfills to be open for at least four hours on weekends. The bill was reported from the House Environment and Energy Committee “do not pass” on 9 March 2000. It is reported that prospects for this bill’s further consideration are unfavorable. A copy of the bill is available at <http://www.house.state.mo.us/bills00/billtxt00/intro00/HB2025I.htm>.

H.B. 2136 – Sewage, Waste. This bill allows local ordinances for on-site sewage treatment contractors to differ from state regulation and inspection. The bill also requires MDNR to state a standard for the design, construction, installation and operation of on-site sewage treatment programs based on soil morphology and site conditions. The bill was referred to the House Environment and Energy Committee 30 March 2000 and a hearing was held 6 April 2000. The bill was reported from the Committee “do pass” on 13 April 2000. It is reported that prospects for the bill’s further consideration are favorable. A survey of district offices and local agencies shows there would be a significant increase in the number of permits issued by the Department of Health due to deleting all exemptions from the statute. That Department anticipates a five-fold increase (from approximately 1,000 permits per year) as a reasonable expectation for an increase in permits. A copy of the bill is available at <http://www.house.state.mo.us/bills00/billtxt00/intro00/HB2136I.htm>.

S.B. 577 – Dry Cleaning Solvent Environmental Response Trust Fund. This bill establishes a Dry Cleaning Solvent Environmental Response Trust Fund to provide moneys for investigation, assessment and remediation of releases of solvents from dry cleaning facilities that will be administered by the Hazardous Waste Management Commission (HWMC). The bill requires the HWMC to establish within one year standards for new facilities and within three years a schedule for upgrades for existing facilities. Operators of existing facilities must pay an annual registration surcharge to the fund: \$500 for small facilities; \$1000 for medium facilities; and \$1500 for large facilities. The effective date is 28 August 2000. The bill passed the Senate 13 April 2000 and was referred to the House Environment and Energy Committee 17 April 2000. A hearing was held 20 April 2000. It is reported that prospects for House passage of this bill are unclear. A copy of the bill is available at <http://www.senate.state.mo.us/billtext/SB577.htm>.

S.B. 750 – Solid Waste, Hazardous Waste, Water. This bill prohibits MDNR from having rules on solid waste disposal, hazardous waste management, land reclamation, air conservation and clean water that are stricter than federal regulations. The bill was referred to the Senate Commerce and Environment Committee on 24 January 2000, and a hearing was held 14 March 2000 during which testimony in favor of and opposing the bill was heard. The effective date of this bill is 28 August 2000. The Associated Industries of Missouri (AIM) believes that due to time constraints, the only way this legislation will advance is through an amendment to existing legislation. AIM considers this issue a long-standing priority to their members. They requested a substitute that would place the emphasis on rules justification rather than limiting the rules to not stricter than federal rules. The companion bill is H.B. 1550. A copy of the bill is available at <http://www.senate.state.mo.us/billtext/intro/SB750.htm>.

S.B. 983 – Water, Permitting (General). This bill provides for permits to be issued to water treatment facilities which pose minimal threat to public health, and establishes a permit fee schedule based upon flow rate and other factors. The effective date of this bill is 28 August 2000. The bill was referred to the Senate Commerce and Environment Committee 14 February 2000, and a hearing has been held. It is reported that prospects for this bill’s consideration are unclear. A copy of the bill is available at <http://www.senate.state.mo.us/billtext/intro/SB983.htm>.

S.B. 995 – Emissions, Inspection and Maintenance Programs. This bill allows the Missouri Air Conservation Commission to temporarily suspend the motor vehicle emissions inspection program, effective immediately. A hearing was held 29 February 2000, and the bill was reported favorably from the Senate Commerce and Environment Committee on 7 March 2000. It is reported that prospects for House passage are unclear. The bill was scheduled to be passed by consent, but was then taken off the consent calendar. The companion bill is H.B. 2067. A copy of the bill is available at <http://www.senate.state.mo.us/bills/SB995.htm>.

S.B. 1003 – Sewage. This bill requires the Department of Health to promulgate rules regulating on-site sewage treatment systems, and allows political subdivisions to regulate on-site sewage treatment systems. The bill was referred to the Senate Public Health and Welfare Committee on 28 February 2000, and a public hearing (during

which testimony both for and against the bill was heard) was held 15 March 2000. It is reported that prospects for the bill's passage are unclear. A copy of the bill is available at <http://www.senate.state.mo.us/bills/SB1003.htm>.

S.B. 1064 – Solid Waste, Hazardous Waste, Environmental Administrative Procedures. This bill requires, among other things, that operators of solid waste facilities collect an additional 25 cents per ton. The bill requires the Department to oversee corrective action work by investigating, monitoring and cleaning up releases of hazardous waste, and authorizes the Department to charge owners and operators of hazardous waste facilities performing corrective actions. The bill further requires hazardous waste generators to pay an initial \$100 registration fee and an annual \$100 registration renewal fee. The bill establishes an annual application fee for a hazardous waste transporting permit, plus an annual use fee. The bill also requires people constructing, altering or operating a resource recovery facility to apply for a certification. The bill requires the application to include (1) plans, designs, and engineering reports, and (2) an application fee of not more than \$500 for a facility that recovers waste generated at the same facility, or an application fee of not more than \$1000 for a facility that recovers waste generated at off-site sources. The 15 March 2000 amendments eliminated a solid waste tipping fee and a \$10 increase in license fees for heavy trucks.

The bill was reported "do pass" from the Senate Commerce and Environment Committee on 15 March 2000. It is reported that prospects for Senate passage are unfavorable, and the Missouri Chamber of Commerce believes that this bill will not pass (believes the Legislature will try to attach this bill's language to S.B. 577). AIM was requesting an expansion of the base from which hazardous waste fees that benefit the general public are derived. That suggestion met with resistance in Committee, but may be brought up again on the Senate floor. A copy of the bill is available at <http://www.senate.state.mo.us/billtext/intro/SB1064.htm>.

S.B. 1080 – Emissions, Inspection and Maintenance Programs. This bill repeals the current biennial inspection law for motor vehicles, effective 28 August 2000. It is reported that prospects for consideration of this bill, which was referred to the Senate Transportation Committee 6 March 2000, are unclear. A copy of the bill is available at <http://www.senate.state.mo.us/billtext/SB1080.htm>.

STATE OF MISSOURI FINAL RULES

Rescission of Local Opacity Rules (10 Code of State Regulations [CSR] 2.060, 3.080, 4.060, 5.090). MDNR amended its air rules governing visible air emissions. The amendments delete four area-specific visible emissions rules. The rule was adopted and is effective 17 May 2000. *For further information, please contact Roger Randolph, MDNR, at (573) 751-4817.*

Air Permit Amendments (10 CSR 6.020, 6.065). MDNR amended its operating permit rules and its definitions and common reference tables. The amendments (1) delete a state permit deadline for Part 70 permit applications for area sources affected by MACT regulations so that the federal deadline would apply, and (2) add definitions developed by the construction permit workgroup. The rule was adopted and is effective 17 May 2000. *For further information, please contact Jim Kavanaugh, MDNR, at (573) 751-4817.*

STATE OF MISSOURI PROPOSED RULES

Public Drinking Water, Definitions (10 CSR 6-2.015). MDNR is proposing to amend its drinking water regulations to adopt the federal Interim Enhanced Surface Water Treatment Rule and the Disinfection By-Products Rule, and the federal Interim Enhanced Surface Water Treatment Rule (published 16 December 1999 in the *Federal Register*). The rule will also add reporting and recordkeeping requirements for disinfection byproducts and update the certification requirements for analysis of disinfection byproducts. A public hearing was held in February 2000 and the comment period has closed. *For further information, please contact Jerry Lane, MDNR, at (573) 751-5331.*

Maximum Contaminant Levels (MCLs) and Monitoring Requirements (10 CSR 6-4.010). This proposed amendment adds sanitary survey requirements for surface water systems from the federal rule. Sanitary surveys will be performed at least every three years unless criteria for a lesser frequency are met. *For further information, please call (573) 751-5331.*

Maximum Turbidity Contaminant Levels and Monitoring Requirements (10 CSR 6-4.050). This proposed rule adopts the new federal turbidity and filtration requirements for surface water systems serving 10,000 persons or more. Smaller water systems are encouraged to begin striving to meet the new standards. *For further information, please call (573) 751-5331.*

Public Drinking Water, Disinfection Requirements (10 CSR 6-4-055). This proposed rule incorporates new federal disinfection requirements for surface water systems serving at least 10,000 people and adds maximum residual disinfection levels for chlorine, chloramines, and chlorine dioxide. *For further information, please call (573) 751-5331.*

MCLs and Monitoring Requirements for Disinfection By-Products (10 CSR 6-4-090). This proposed rule incorporates the new federal MCLs and compliance requirements for disinfection by-products, including removal of disinfection by-product precursors. *For further information, please call (573) 751-5331.*

Public Drinking Water, Reporting Requirements (10 CSR 6-7-010). This proposed rule adds reporting and recordkeeping requirements for disinfection by-products, disinfection by-product precursors, and enhanced surface water treatment. *For further information, please call (573) 751-5331.*

Public Notice of Conditions Affecting a Public Water Supply (10 CSR 6-8-010). This proposed rule adds public notice requirements for violations of disinfectants and disinfection by-product requirements and enhanced surface water treatment. *For further information, please call (573) 751-5331.*

Transition Plan for Inspection and Maintenance (10 CSR 10-5-380). MDNR adopted an emergency amendment detailing the transitional program which 1 January 2000 and will end when the centralized test-only emissions inspection stations begin emissions inspections. The transitional program will allow St. Louis area vehicle owners to register their vehicle with a deferred emissions inspection. MDNR is proposing to adopt its emergency regulations as permanent. The Air Conservation Committee considered the proposed rule for adoption at its meeting 30 March 2000. *For further information, please contact Roger Randolph, MDNR, at (573) 751-4817.*

Municipal Solid Waste Landfills (10 CSR 10-5-490). MDNR is proposing amendments to its air rules governing municipal solid waste landfill emissions that are expected to incorporate recent federal adoptions related to subpart Cc of 40 CFR Part 60, correct errors, and clarify some sections. A public hearing has been held and the comment period is closed. The Air Conservation Committee considered the proposal for adoption at its meeting 30 March 2000. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

Restriction of Emission from Municipal Solid Waste Landfills (10 CSR 10-6-310). MDNR is proposing amendments to its air rules governing municipal solid waste landfill emissions. The amendments are expected to incorporate recent federal adoptions related to subpart Cc of 40 CFR Part 60, correct errors, and clarify some sections. A public hearing has been held and the comment period is closed. The Air Conservation Committee considered the proposal for adoption at its meeting 30 March 2000. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

NOx Rulemaking and Emissions Trading (10 CSR 10-6-350). MDNR has drafted amendments to address issues raised in the federal NOx Transport SIP call. This rulemaking will cover emissions trading and NOx emissions limits. The federal NOx requirements apply to the western two-thirds of Missouri. Large NOx sources in western Missouri will be required to reduce emissions by approximately 90%. Missouri is the only state west of the Mississippi River which must adopt the federal NOx rule. A public hearing was held 24 April 2000, and the comment period is closed. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

STATE OF MISSOURI DISCUSSIONS

Adoption of 1998 and 1999 Federal Air Regulations. MDNR is planning to incorporate by reference federal air regulations promulgated in 1998 and 1999. Those federal regulations include (1) NSPS amendments, (2) NESHAP amendments, and (3) MACT standards. Rulemaking is likely to start in the Summer of 2000. *For further information, please contact Jim Kavanaugh, MDNR, at (573) 751-4817.*

Adoption of 1998 and 1999 Federal RCRA Rules. MDNR has just begun discussions regarding its next RCRA update. This update would incorporate federal RCRA rules adopted between July 1997 and July 1999. The major items the Department expects to address are post-closure rules, hazardous waste identification for media, Phase IV LDRs, and MACT fast track rules. MDNR would like to begin the rulemaking process mid-2000 and have it completed by mid-2001. However, further rulemaking is contingent upon securing the needed funds for program expansion. The funding would come from hazardous and solid waste program fee increases contained in S.B. 1064. MDNR is still awaiting U.S. EPA's authorization for the Department's adoption of the 1997 RCRA rules. The

Department will submit its final rule for military munitions, universal waste, and used oil in the next round of U.S. EPA's authorizations. *For further information, please contact Tim Eiken, MDNR, at (573) 526-2737.*

Solid Waste Rules. By the end of 2000, MDNR is planning to start rulemaking to amend its solid waste rules. The amendment would adopt federal rules for the disposal of cement kiln dust and utility ash, and would also create provisions for financial assurance for closure and post-closure activities for facilities engaged in the beneficial reuse of solid waste. MDNR is concerned that recyclers might go out of business and leave the state with the tab for cleanup costs. *For further information, please contact James Hall, MDNR, at (573) 522-3734.*

Risk-Based Remediation of Groundwater. MDNR is discussing a new rule that would promulgate standards for risk-based remediation for groundwater contamination. MDNR is planning to start rulemaking by the end of 2000. At this time, the Department does not know what the substance of the rule would be. *For further information, please contact John Madras, MDNR, at (573) 751-7428.*

STATE OF MISSOURI DRAFT GUIDANCE

Nonpoint Source Management Plan (NPSMP). The draft NPSMP describes the methods the Department will use to address the various types of nonpoint source pollution in the state. The plan identifies and prioritizes impaired waters and includes a plan and schedule to address those waters. The plan supports implementation of voluntary water quality management plans. The plan also identifies sources of funding for nonpoint source projects and describes projects that have been funded, including an overview of current watershed projects funded in Missouri. MDNR submitted the plan to the U.S. EPA for its approval in July 1999 and the U.S. EPA recommended changes to a section. The Department's Clean Water Commission adopted the recommended changes 15 March 2000 and is sending the plan to the U.S. EPA for further review. MDNR is planning to complete the NPSMP in 2000. The 17 March 2000 draft is at <http://www.dnr.state.mo.us/deq/wpcp/wpcnpsmp.htm>.

[NOTE: General information regarding MDNR and its various programs is available on MDNR's web site at <http://www.dnr.state.mo.us/homednr.htm>.]

NEBRASKA

Legislative/Regulatory Activity

STATE OF NEBRASKA LEGISLATIVE ACTIVITY

The Nebraska Legislature convened on 5 January 2000 and adjourned 12 April 2000.

REC Comment: The only environmental bill we have identified that could impact military installations in the state is Legislative Bill (L.B.) 1234 – Reformulated Fuels, Emissions.

L.B. 389 – Reformulated Fuels. This bill requires one-half of gasoline sold in the state to have an oxygen content equal to or greater than 2.7% by weight, beginning 1 January 2001. The bill allows the standard to be met by use of 7.7% ethyl tertiary butyl ether (ETBE) by volume, and it requires sales of oxygenated gasoline to be reported by sellers. The bill further requires the one-half requirement to become mandate beginning 1 January 2002, if the bill's required report concludes that less than one-half of all gasoline sold was oxygenated. Exempted from the mandate are (1) aircraft, (2) historical vehicles, (3) motorcycles, (4) boats, and (5) other small engines. The effective date of this bill is 1 January 2001. This bill died upon adjournment 12 April 2000. *A copy of the bill is available at http://www.unicam.state.ne.us/PDF/INTRO_LB389.pdf.*

L.B. 900 – Environmental Administrative Procedures. The 1 March 2000 current version of this bill merges the Department of Water Resources and the Nebraska Natural Resources Commission, effective immediately. The bill was signed by Governor Mike Johanns (R) 22 March 2000. *A copy of the bill is available at http://www.unicam.state.ne.us/PDF/FINAL_LB900_1.pdf.*

L.B. 1234 – Reformulated Fuels, Emissions. The current version of this bill (6 April 2000) prohibits motor vehicle fuel in the state from containing more than 1% MTBE by volume, beginning 1 October 2000. The bill requires the Nebraska Department of Environmental Quality (NDEQ) to conduct a comprehensive groundwater quality study. This bill was signed by the Governor on 11 April 2000. The effective date of this bill is 90 days after adjournment. *A copy of the bill is available at http://www.unicam.state.ne.us/PDF/FINAL_LB1234_2.pdf.*

STATE OF NEBRASKA FINAL RULES

Triennial Review and Adoption of Water Quality Amendments (Title 117). NDEQ amended the state's water quality standards as part of its triennial review of state waters. According to staff, the amendment (1) adopts the U.S. EPA's standard for ammonia, (2) adds several priority pollutant numbers, (3) revises water quality criteria, including but not limited to ammonia, atrazine and arsenic, and (4) makes housekeeping changes on stream segment locations. The amendment took effect 7 February 2000. *For further information, please contact John Bender, NDEQ, at (402) 471-4700.*

Certification of Wastewater Treatment Operators (Title 197). NDEQ has rewritten its regulations governing the certification of wastewater treatment facility operators. The amendments (1) reorganize and streamline the regulations, (2) create a Class L classification for simple lagoon facilities, (3) clarify requirements for staffing plans for Class IV facilities, (4) add provisions for remote operation of wastewater treatment plants, (5) simplify education and experience requirements, (6) replace classification tables with updated tables, and (7) increase certification fees. The Department adopted the regulation 3 December 1999 and the rules took effect 12 March 2000. *For further information, please contact Rick Bay, NDEQ, at (402) 471-2186.*

STATE OF NEBRASKA PROPOSED RULES

Update of State Hazardous Waste Program (Title 128). NDEQ is proposing amendments to the state's hazardous waste rules that will incorporate federal RCRA amendments promulgated between 1 January 1997 and 30 June 1998. The amendments include changes to (1) hazardous waste management requirements for testing and monitoring, (2) exclusion for kraft mill stream stripper condensate, (3) organobromine production wastes, (4) treatment standards for spent aluminum potliners, (5) zinc micronutrient fertilizers, (6) carbamate production wastes, (7) standards for hazardous waste combustors, (8) organic air emission standards for tanks, surface impoundments, and containers, (9) alternative mechanisms for closure/post-closure, (10) LDRs, and (11) miscellaneous revisions and corrections. The Department hopes to obtain complete authority to run its own RCRA program. The Department held a public hearing and accepted written comments last summer, and has adopted the amendments. The amendments are currently pending executive review. *For further information, please contact Mark Podany, NDEQ, at (402) 471-4265.*

MACT Standards and CAM Program (Title 129). NDEQ has proposed amending Title 129 of its air quality regulations. The amendments will adopt existing federal regulations pertaining to the CAM program and MACT standards. The revisions will also correct typographical errors and inconsistencies in the regulations. The Department believes the amendments are minor and would be beneficial to covered sources. The Environmental Quality Council adopted the regulation 23 March 2000, and the proposed regulation is now pending executive review. *For further information, please contact Shelley Kaderly, NDEQ, at (402) 471-2186.*

Integrated Solid Waste Rules Revision (Title 132). NDEQ is proposing amendments to its solid waste rules. The revisions will incorporate federal changes to the financial assurance requirements; amend the special waste rules regarding fossil fuel (coal) ash disposal sites; and generally clean up the rules. The Department adopted the rules 3 December 1999 and the proposed rules are now pending executive review. The anticipated effective date of the revisions is 1 June 2000. *For further information, please contact Julie Powers, NDEQ, at (402) 471-4234.*

STATE OF NEBRASKA DISCUSSIONS

Hazardous Waste Rules. NDEQ is planning to start rulemaking in September 2000 to update its hazardous waste rules. The Department will make technical amendments to its universal waste rule, organic air emissions, and Phase IV LDRs. For its oil and grease analysis method rule, NDEQ will replace freon with hexane. The Department is also planning to adopt the federal rules for hazardous waste lamps, HWIR remediation rule, and accumulation time for electroplating sludges (F006). *For further information, please contact Mark Podany, NDEQ, at (402) 471-4265.*

[NOTE: General information regarding NDEQ and its various programs, including access to rules and regulations, is available on NDEQ's web site at <http://www.deq.state.ne.us/>.]

The Central Region Review is prepared by Diane Faile, Versar, Inc., in support of the CREO, to assist you in your compliance efforts. She can be reached at (816) 983-3444, or e-mail diane.m.faile@usace.army.mil. Questions regarding this document should be directed to Mr. Bart Ives, Army Region VI REC, at (816) 983-3450, or e-mail bart.o.ives@usace.army.mil; or Mr. Steve Scanlon, Army Region VII REC, at (816) 983-3445, or e-mail stephen.c.scanlon@usace.army.mil. Both can be reached by fax at (816) 426-7414. Legal questions should be directed to Mr. G.T. Zolyak, Regional Counsel, at (410) 436-1275, or e-mail gary.zolyak@aec.apgea.army.mil, or fax to (410) 436-1670. Current and past issues of CREO regulatory updates are available on the Internet at <http://aec.army.mil/> under "Regional Offices."



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